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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/644,366	08/20/2003	Sming Huang	140298-9008	6398
48036	7590	06/20/2007		
PERRY HOFFMAN & ASSOCIATES P.C. PO BOX 1649 DEERFIELD, IL 60015			EXAMINER MCCULLOCH JR, WILLIAM H	
			ART UNIT 3714	PAPER NUMBER
			MAIL DATE 06/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/644,366	<b>Applicant(s)</b> HUANG, SMING	
	<b>Examiner</b> William H. McCulloch Jr.	<b>Art Unit</b> 3714	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-22 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-22 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 20 August 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- \* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)  | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____. |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | 5) <input type="checkbox"/> Notice of Informal Patent Application                       |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>8/20/2003</u> . | 6) <input type="checkbox"/> Other: ____.  |

## **DETAILED ACTION**

### ***Information Disclosure Statement***

1. The information disclosure statement (IDS) with mailroom date 8/20/2003 was filed in compliance with the provisions of 37 CFR 1.97-1.98. Accordingly, the examiner has considered the information disclosure statement.

### ***Claim Rejections - 35 USC § 102***

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

3. Claims 1-8, 10-14, 16-19, and 22 are rejected under 35 U.S.C. 102(e) as being anticipated by U.S. 6,755,738 to Glasson et al. (hereinafter Glasson).

Regarding claim 1, Glasson teaches a method for assigning prizes in a bingo-type game comprising the steps of: assigning an arrangement of one or more spots on each of a plurality of game cards, each spot on each of the plurality of game cards having an indicia assignment (see at least figs. 3-7 and descriptions thereof); dealing one or more of the plurality of game cards to a first player (see at least 1:35-57); drawing a random sequence of draw indicia (see at least 2:39-44); marking each spot on each of the plurality of game cards dealt to the first player having the indicia assignment corresponding to the draw indicia (see at least figs. 3-7 and descriptions

thereof); completing the marking of the arrangement of the spots on at least one game card of the first player (see at least figs. 6-7 and descriptions thereof); counting the number of draw indicia from the drawing step required to complete the marking of the arrangement of the spots on the at least one game card of the first player (see at least 2:25-29 and 2:54-64); and identifying a game prize based on the counted number of draw indicia (see at least 2:25-29 and 2:54-64).

Regarding claim 2, Glasson further teaches determining a plurality of ranges of counted draw indicia, each of the plurality of ranges corresponding to a prize level further comprising a winning payout and payout percentage, wherein the sum of the payout percentages corresponding to each of the prize levels gives the game payout rate (see at least 5:34-58).

Regarding claims 3 and 14, Glasson describes in the dealing step, dealing one or more of the plurality of game cards to a second player; and in the marking step, marking each spot on each of the plurality of game cards dealt to the second player having the indicia assignment corresponding to the draw indicia (see at least figs. 6-7, 1:44-57, and 6:3-6).

Regarding claim 4, Glasson additionally describes wherein one of the first player and second player may determine the winning payout for each of the plurality of ranges (see at least 5:34-58).

Regarding claims 5 and 6, see at least figures 3-7 and descriptions thereof.

Claims 7-8 and 10-11 are directed toward probabilities of achieving a payout (payout percentage) and probabilities of completing the marking of the arrangement of

Art Unit: 3714

spots (win percentage). However, the claimed subject matter merely provides known mathematical formulas to characterize the game of bingo. Such formulas are inherent in Glasson because they are mathematical descriptions of the game of bingo, which is explicitly taught by Glasson.

Regarding claims 13 and 17, Glasson teaches an electronic bingo-type gaming system comprising: one or more microprocessors (processor 34, see at least 3:31-44); a display having a first region operable for displaying a plurality of game cards with win spots and assigned indicia and a second region operable for displaying a random sequence of indicia (see at least figs. 3-7 and descriptions thereof); a player interface for initiating game play and selecting game operations (see at least fig. 1 and sensors 38 in 3:31-44); and a program operable with the one or more microprocessors for generating the plurality of game cards, generating a random sequence of drawn balls, and marking assigned indicia on each of the plurality of game cards corresponding to the random sequence of indicia (see *Id*).

Regarding claims 12 and 19, Glasson teaches options selectable from the player interface comprising: the number of the win spots (see at least fig. 3), the arrangement of the win spots (see at least fig. 3), the number of player cards (see at least 1:44-57), the number of opponents (see at least 1:44-57 and 6:3-6), the number of cards per each opponent (see at least 1:44-57 and 6:3-6), and the prize level winning payout (see at least 5:34-58).

Regarding claim 16, Glasson describes at least one prize level that is a progressive jackpot (see at least 5:34-58).

Regarding claim 18, Glasson teaches a player interface comprising a touch sensitive screen (touch sensors mounted in the screen in 3:31-44).

Regarding claim 22, Glasson teaches an electronic bingo game system comprising: processing means (processor 34, see at least 3:31-44); display means for displaying a plurality of game cards with win spots and assigned indicia and for displaying a random sequence of indicia (see at least figs. 3-7 and descriptions thereof); an input means for initiating game play and selecting game options (see at least fig. 1 and sensors 38 in 3:31-44); and a program running on the processing means for generating the plurality of game cards, generating a random sequence of drawn balls, and marking assigned indicia on each of the plurality of game cards corresponding to the random sequence of indicia (see *Id*).

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claim 9 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glasson.

Regarding claim 9, Glasson teaches the above-described invention, but lacks in explicitly teaching that one of the first and second player may determine the number of spots in the arrangement of spots (i.e. dimensions of the bingo matrix). As described herein, Glasson teaches that a player may choose various features of his bingo card (e.g. the number of cards in play and the pattern of winning cards). Glasson further

Art Unit: 3714

describes that it is an advantage of the invention that the game player is given an element of choice and hence a feeling of control by being able to select the pattern and the bingo player. Therefore, it would have been obvious to one of ordinary skill in the art at the time of invention to modify Glasson to allow a player to determine the number of spots in the arrangement of spots in order to provide an additional feeling of control to the player, as is favorably taught by Glasson.

6. Claims 20-21 are rejected under 35 U.S.C. 103(a) as being unpatentable over Glasson in view of U.S. 2004/0137978 to Cole (hereinafter Cole).

Regarding claims 20-21, Glasson teaches the invention substantially as disclosed above. Glasson further teaches that the bingo game occurs as a "second screen feature following the occurrence of a trigger condition in a base game such as a spinning reel game" (3:49-51). Glasson refers to a second screen feature to indicate known two screen gaming machines having a base game and a bonus game displayed on respective screens. Glasson lacks in explicitly teaching that the games are providing on two physically separate screens. In a related disclosure, Cole teaches a gaming system having two displays, wherein one display may show a bingo game and another display may show slot machine reels (see at least paragraph 82). The examiner notes that either of the displays is operable for indicating a winning payout. It would have been obvious to one of ordinary skill in the art at the time of invention to modify the invention taught by Glasson in view of Cole in order to implement the features of the invention into an actual two screen system in order to permit a player to simultaneously

or concurrently play one or more games in addition to those presented with the one or more independent displays, as is favorably taught by Cole in at least paragraph 16.

7. Claim 15 is rejected under 35 U.S.C. 103(a) as being unpatentable over Glasson in view of U.S. 6,186,892 to Frank et al. (hereinafter Frank).

Claim 15 is directed toward a first and second player being networked players. For the purposes of this action, the examiner interprets both first and second players as human players. Glasson teaches the invention substantially as described above, including a player of the game playing against one or more second virtual players. Glasson lacks in explicitly teaching that a second player is a human player. In a related disclosure, Frank teaches a multiplayer bingo game conducted over a computer network (see at least the abstract, 1:7-30, and 6:63-7:29). It would have been obvious to one of ordinary skill in the art at the time of invention to modify Glasson to include a second human player playing a game device connected to the game device of a first human player in order to allow players from different geographical locations participate in a common game, as is favorably taught by Frank.

#### ***Citation of Pertinent Prior Art***

8. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. See attached Notice of References Cited.

#### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to William H. McCulloch Jr. whose telephone number is 571-272-2818. The examiner can normally be reached on M-F 8:30-4:30.



Art Unit: 3714

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Robert E. Pezzuto can be reached on 571-272-6996. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

William H. McCulloch Jr.  
Examiner  
Art Unit 3714  
6/11/2007

wm

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